

Appln. No.: 09/881,597
Reply to Office Action of August 10, 2007

REMARKS/ARGUMENTS

The non-final Office Action of August 10, 2007, has been carefully reviewed and these remarks are responsive thereto. Claims 2, 7, 10-17, 20-24, 26-31, 33, 45-46, 50-53, and 56 have been amended, new claims 57-61 have been added, and no claims have been canceled. No new matter has been added. Claims 2-6, 8-17, 20-24, 26-31, 33-41, and 43-59 thus remain pending in this application. Reconsideration and allowance of the instant application are respectfully requested.

Preliminary, it is believed that the supplemental amendment submitted by the Applicant on July 27, 2007, was not entered into the record of the instant application. The Office Action Summary indicates that the Office Action is responsive to the amendment filed on May 27, 2007, and the Examiner makes no reference to the supplemental amendment or the claims added and amended therein. Accordingly, the present amendment to the claims are provided based on the understanding that the supplemental amendment of July 27, 2007, has not been entered in this case.

Rejections Under 35 U.S.C. § 102

Claims 2-6, 8-10, 12-13, 20-24, 26, 31, 33-34, and 50-56 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,134,598 (*Raman*). Applicant respectfully traverses this rejection for at least the following reasons.

Independent claim 50 recites, in part, “device-independent content comprising markup information.” The Office Action alleges that *Raman* teaches this feature at Col. 2, lines 27-28 and Col. 5, lines 24-30. Applicant respectfully disagrees. The relied-upon sections of *Raman* describe transmitting a request message from a client to a parsing server, in which the client may specify a data format for the requested content. Therefore, a client in *Raman* may request content from the parsing server in a data format compatible with the client’s device capabilities and user preferences. However, the content received from *Raman*’s parsing server does not contain any markup information. Neither the relied-upon sections nor any other portion of *Raman* refers to a markup language, HTML, XML, or any equivalent concept. Therefore, because *Raman* does not disclose “device-independent content comprising markup information,” independent claim 50 is not anticipated by *Raman*.

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Additionally, claim 50 recites that the “markup information identifies] one or more device feature values.” Neither the relied-upon section, nor any other portion of *Raman*, discloses markup information (or any other device-independent data) that contains “device features values.” In *Raman*, the parsing server sends data to the requesting client based on the requested data format, and not based on device feature values. For example, a client in *Raman* might request an image file from the parsing server in a specific format, such as GIF, JPEG, etc., based on the client user preferences and/or the client device’s capabilities. However, *Raman* does not disclose requesting or sending content by using device feature values. This distinction is significant. As discussed in the instant application, the use of markup information identifying device feature values enables content *authors* to customize the rendering of content on different devices, rather than relying on *requestors* to provide data format preferences. See, e.g., Specification, page 4, lines 1-4; FIG. 1. Therefore, because *Raman* does not disclose “markup information identifying one or more device feature values,” claim 50 is not anticipated by *Raman* for this additional reason.

Claim 50 also recites the steps of “identifying one or more device feature values associated with the network terminal device,” and “matching at least one of the device feature values associated with the device-independent content with at least one of the device features values associated with the network terminal device.” As discussed above, *Raman* only discloses parsing content based on a requested data format, it does not identify any device feature of the user’s terminal, nor does it match the device feature values with corresponding device feature values in the data content. Thus, *Raman* does not disclose the recited identifying and matching steps in claim 50 for similar reasons to those discussed above.

Independent claim 56 recites an apparatus configured to perform the same method recited in claim 50, and is therefore not anticipated by *Raman* for the same reasons as claim 50.

Independent claims 51-53 recite similar features not disclosed by *Raman*. Specifically, claim 51 recites, “wherein said device-independent content comprises markup information identifying one or more device feature values associated with the device-independent content,” claim 52 recites, “wherein said content comprises markup information identifying one or more content display characteristics,” and claim 53 recites, “device-independent content comprising embedded annotations specifying author intent for displaying the content on a plurality of

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devices having different display characteristics, said embedded annotations including one or more content display feature values.” Applicant submits that for similar reasons to those discussed in reference to claim 50, independent claims 51-53 are also not anticipated by *Raman*.

Additionally, claim 52 recites wherein “said content display characteristics expressing an author intent for displaying said content on a plurality of devices having different display characteristics,” and claim 53 recites wherein “the device-independent content comprising embedded annotations specifying author intent for displaying the content on a plurality of devices having different display characteristics.” (Emphasis added) As discussed above, *Raman*’s parsing server only formats and returns data based on the data format requested by the client system, it does not disclose customizing the rendering of content on different devices based on author intent, as recited in claims 52 and 53. Furthermore, the Office Action never mentions “author intent” and does not identify where in the prior art that rendering content based on author intent is allegedly taught. Accordingly, Applicant submits that independent claims 52 and 53 are allowable for these additional reasons, and respectfully requests that any subsequent Office Action substantively addressing these features be non-final to allow the Applicant an opportunity to respond to these rejections when first presented.

Claims 2-6, 8-10, 12-13, 20-24, 26, 31, 33-34, and 54-55 each depend from one of claims 50-53 or 56 and are allowable for at least the same reasons as their respective base claim, as well as based on the additional features recited therein.

For example, claims 3 and 23 recite specifying a feature-value set of selected device features comprising “a member of the group consisting of display size, aspect ratio, display line count, color capability, graphics capability, variable size text capability, different font capability, [and] input capability.” The Office Action alleges that this feature is disclosed by *Raman* at Col. 5, lines 35-67. Applicant respectfully disagrees. The relied-upon section of *Raman* is reproduced below:

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TheFacilitiesList is checked to see if any of the Facility Descriptors has a Function field matching TheFunction, and a Format field matching TheDataFormat (step 110). 35

If a match is found, the global variable TheDataFormat-Facility is set equal to the Facility field of the matched Facility Descriptor (step 120). Next, the client system sends a request to the data server specified by TheURL, requesting the data server to transmit the data specified by TheURL (step 130). When the data is received, the routine ProcessReceivedData is executed (step 140). 40

If no match is found on TheFacilitiesList, TheParsingServerList is checked to see if any of the parsing server capability descriptors has a ConvertFrom field equal to TheDataFormat and a ConvertTo field equal to the Format field of one of the Facility Descriptors on TheFacilitiesList, such that the Facility Descriptor also has a Function field equal to TheFunction (step 150). For each match found, the matched parsing server capability descriptor is added to the list CapableParsingServersList (step 160). Then, the routine GetParsedData is executed (step 170). If, after GetParsedData is executed, the variable DataParsed? is TRUE (step 180), the routine ProcessReceivedData is executed (step 190). 45 50 55

If no match is found, or if the variable DataParsed? is FALSE after GetParsedData is executed, the routine FindCapableParsingServer is executed (step 200). Then the flag ParsingServerFound? is checked (step 210). If its value is FALSE, no appropriate parsing server was found, and the client system will be unable to perform the requested function on the specified resource. In this case, an error message is returned to the user (step 220). 60 65

If ParsingServerFound? is TRUE, control returns to step 150.

This section describes steps that a client system might perform to retrieve content from a server. As described, the *Raman* client might attempt to match the data format of the content to a data format from a compatibility list on its own system. However, this section does not disclose requesting or transmitting data based on any of the recited device feature values (display size, aspect ratio, display line count, color capability, graphics capability, variable size text capability, etc.) associated with the requesting device, as recited in claims 3 and 23. Therefore, claims 3 and 23 are not anticipated by *Raman* for this additional reason.

Additionally, claim 9 recites “removing said markup information from said device-independent content.” The Office Action alleges that this feature is taught by *Raman* at Col. 8, lines 26-37. Applicant respectfully disagrees. The relied-upon section of *Raman* is reproduced below:

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25 invention or the ordering, structuring or naming of data structures of the invention may be changed by those skilled in the art and still achieve desirable results.

26 A client system may rely, for example, on only one specified parsing server to convert data.

30 Parsing servers, at intervals, may broadcast messages over the WAN announcing their capabilities, and client systems may update their parsing server lists accordingly.

35 Client systems, at intervals, may broadcast messages over the WAN asking parsing servers to identify themselves and their capabilities and the client systems may use the responses to update their parsing server lists accordingly.

This section of *Raman* relates to configurations of multiple parsing servers and multiple clients, however, it appears to be completely unrelated to removing markup information from device-independent content. Applicant also has not identified any other section of *Raman* which teaches or suggests the recited feature. Therefore, claim 9 is not anticipated by *Raman* for this additional reason.

Rejections Under 35 U.S.C. § 103

Claims 11, 14, 17, 24 29-30, 36-41, and 43-45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Raman* in view of U.S. Patent No. 6,654,814 (*Britton*). Claims 15, 27-28, and 46-49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Raman* in view of U.S. Patent Publ. No. 2002/0091738 (*Rohrabaugh*). Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Raman* in view of U.S. Patent No. 6,523,040 (*Lo*). However, neither *Britton* nor *Rohrabaugh* nor *Lo* cures the deficiencies of *Britton* discussed above in relation to independent claims 50-53 and 56. Thus, claims 11, 14-17, 24, 27-30, 36-41, and 43-49 are allowable for at least the same reasons as their respective base claims, as well as based on the additional features recited therein.

New Claims

Applicant has added new claims 57-59 to clarify and more fully claim the invention. No new matter has been added. Claim 57 recites “wherein at least one of said set of device feature values associated with the network terminal device corresponds to a member of the group consisting of display size, aspect ratio, display line count, color capability, graphics capability,

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variable size text capability, different font capability, and input capability,” and is believed to be allowable for at least the same reasons as base claim 56, and for similar reasons to those discussed above in reference to claims 3 and 23.

Independent claim 58 recites sending “a request for content stored as device-independent content comprising a markup-language defined page, wherein said request comprises an indication of a type of the apparatus,” and receiving “device-dependent content compris[ing] a modified version of the device-independent content, said modifications based on the type of the apparatus.” Claim 59 depends from claim 58 and further recites, “wherein said content has been modified based on markup information identifying one or more device feature values associated with the device-independent content.” Therefore, claims 58 and 59 are allowable for similar reasons to those discussed above in reference to claims 50-53 and 56.

Claims 60-61 depend from claims 50 and 58 and further recite, “wherein the device feature values correspond to physical characteristics [of the device].” As discussed above, *Raman* only relates to providing content based on a requested data format, and none of the cited art teaches or suggests determining “physical characteristics” of the device, as recited. Therefore, these claims are allowable for at least this additional reason.

(Conclusion and signature block follow on next page)

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CONCLUSION

Based on the foregoing, Applicant respectfully submits that the application is in condition for allowance and a Notice to that effect is earnestly solicited. Should the Examiner believe that anything further is desirable in order to place the application in even better form for allowance, the Examiner is respectfully urged to contact Applicant's undersigned representative at the below-listed number.

Respectfully submitted,
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Dated this 1st day of Nov., 2007

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